

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROGELIO MARTINEZ, et al,
Plaintiffs,
v.
SHAMIT PATEL,
Defendant

Case No. 2:13-cv-02189-APG-GWF

ORDER ON DEFENDANT'S MOTIONS IN LIMINE

(Dkt. ##37, 38, 39, 40, 41)

Defendant has filed five motions in limine (Dkt. ## 37 - 41). It is apparent from these motions that counsel did not confer about the upcoming trial presentations. Each of these motions is premised upon some expectation that plaintiffs may offer something improper at trial. For instance, defendant writes that “[i]t is anticipated that [plaintiff’s experts and] treating physicians may attempt to offer. . . .” (Dkt. #40 at 3:24-27.) While I appreciate the possible intent to preview for me some potentially problematic evidentiary issues, counsel should confer first to determine whether these potential issues exist and can be narrowed or eliminated. The parties can then file appropriate motions or request a pretrial conference with the trial judge to discuss the issues.

Therefore, I will deny all five motions without prejudice. Defendant can file new motions in limine, if necessary, after conferring with opposing counsel to determine whether any of the issues covered by those motions will be disputed. All motions in limine must include a certification that counsel conferred in good faith to resolve the issue before the motion was filed. The failure to include such a certificate of counsel will result in the denial of the motion.

IT IS THEREFORE ORDERED that defendant's motions in limine (Dkt. ## 37, 38, 39, 40, and 41) are hereby DENIED WITHOUT PREJUDICE.

Dated: August 18, 2015.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE